

ESTTA Tracking number: **ESTTA460270**

Filing date: **03/06/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	Aequitas Capital Management, Inc.
Granted to Date of previous extension	03/07/2012
Address	5300 Meadows Road, Suite 400 Lake Oswego, OR 97035 UNITED STATES
Correspondence information	Christopher D. Erickson Tonkon Torp LLP 888 SW Fifth Avenue 1600 Pioneer Tower Portland, OR 97204 UNITED STATES chris.erickson@tonkon.com, lisa.gabel@tonkon.com Phone:503-221-1440

### Applicant Information

Application No	85199732	Publication date	11/08/2011
Opposition Filing Date	03/06/2012	Opposition Period Ends	03/07/2012
International Registration No.	NONE	International Registration Date	NONE
Applicant	Asesorias Y Servicios Legales Limitada San Sebastián 2839, Oficina 608 Las Condes, Santiago, CHILE		

### Goods/Services Affected by Opposition


Class 036. All goods and services in the class are opposed, namely: Financial advisory services and financial asset management
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### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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### Marks Cited by Opposer as Basis for Opposition

U.S. Application No.	85526579	Application Date	01/26/2012
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	AEQUITAS CAPITAL		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 036. First use: First Use: 2005/03/31 First Use In Commerce: 2005/03/31 Investment management services; investment product development services, namely, custom design of capital investment vehicles and capital investment funds for customers; Investment services, namely, asset acquisition, consultation, development and management services; Management of capital investment vehicles and capital investment funds; Financial consulting; Commercial lending services, other than real estate mortgages

U.S. Application No.	85526592	Application Date	01/26/2012
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	AEQUITAS CAPITAL		
Design Mark			
Description of Mark	The mark consists of the stylized words AEQUITAS CAPITAL.		
Goods/Services	Class 036. First use: First Use: 2011/03/05 First Use In Commerce: 2011/03/05 Investment management services; investment product development services, namely, custom design of capital investment vehicles and capital investment funds for customers; Investment services, namely, asset acquisition, consultation, development and management services; Management of capital investment vehicles and capital investment funds; Financial consulting; Commercial lending services, other than real estate mortgages		

Attachments	85526579#TMSN.jpeg ( 1 page )( bytes ) Notice of Opposition.pdf ( 3 pages )(78167 bytes ) 85526592#TMSN.jpeg ( 1 page )( bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Christopher D. Erickson/
Name	Christopher D. Erickson
Date	03/06/2012

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of U.S. Service Mark Application Serial No. 85199732

Filed: December 16, 2010

Mark: EQUITAS

Published for Opposition: November 8, 2011

Aequitas Capital Management, Inc.,  Opposer,  v.  Asesorias Y Servicios Legales Limitada,  Applicant.	Opposition No.: _____
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**NOTICE OF OPPOSITION**

The party opposing registration of the above-referenced service mark application is Aequitas Capital Management, Inc., an Oregon corporation ("Opposer"), with a business address of 5300 Meadows Road, Suite 400, Lake Oswego, Oregon 97035.

Opposer believes that it will be damaged by registration of the above-referenced mark, and hereby opposes the same.

The grounds for opposition are as follows:

1. Opposer has adopted and has continuously used the service marks AEQUITAS and AEQUITAS CAPITAL in United States commerce since at least as early as 2005, in connection with investment management, investment product development, financial consulting, commercial lending, and related financial services. By virtue of Opposer's continuous use of AEQUITAS and AEQUITAS CAPITAL in commerce, its expenditure of considerable sums of money for promotional activities, and the excellence of its services, Opposer has gained valuable goodwill in, and a valuable reputation throughout the United States for, its marks AEQUITAS and AEQUITAS CAPITAL, and the public has come to associate the AEQUITAS and AEQUITAS CAPITAL marks with Opposer and Opposer's services.

2. Opposer is the owner of valid and subsisting U.S. Service Mark Application Serial Nos. 85526579 and 85526592 ("Opposer's Applications") for AEQUITAS

THEREFORE, Opposer prays that Applicant's Application be rejected and that Applicant's Mark be refused registration.

The filing fee of \$300 for opposition of Applicant's Mark is accompanied herewith as required by 37 CFR § 2.6.

DATED: March 6, 2012.



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Christopher D. Erickson  
Attorney for Opposer  
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Portland, Oregon 97204-2090  
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chris.erickson@tonkon.com

## **CERTIFICATE OF SERVICE**

I hereby certify that I caused a true copy of the foregoing Notice of Opposition to be sent via Express Mail, postage paid, on March 6, 2012, to Applicant's Attorney of Record as follows:

Perla M. Kuhn  
Edwards Wildman Palmer LLP  
750 Lexington Avenue  
New York, NY 10022

A handwritten signature in black ink, appearing to be 'CE', written over a horizontal line.

Christopher D. Erickson  
Attorney for Opposer

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